Amendment and Response
Applicant: Travis J. Parry
Serial No.: 10/037,867
Filed: October 24, 2001
Docket No.: H302.176.101/10006775-1
Title: NETWORK SYSTEM AND METHOD FOR AUTOMATIC POSTING OF DIGITAL IMAGES

REMARKS

The following remarks are made in response to the Office Action mailed January 27, 2006. Claims 1-9 and 11-44 were rejected. Claims 1-9 and 11-44 remain pending in the application and are presented for reconsideration and allowance.

Oath/Declaration

The oath or declaration was deemed defective. An application data sheet correcting the residence of the inventor has been attached to this response.

Claim Rejections under 35 U.S.C. § 102

Claims 1-9, 11-25, 27-30, 32, and 34-43 were rejected under 35 U.S.C. 102(e) as being anticipated by Fredlund et al., US Patent No. 6,812,962 ("Fredlund").

Applicant submits that Fredlund fails to teach or suggest the invention of independent claims 1, 28, and 37-39. Fredlund fails to disclose **printing the image on the printer and automatically posting the image to a network site via the printer in response to receiving the image** as recited in claims 1 and 38, **a printer configured to receive the image for printing and print the image and automatically post the image to a website according to a predefined posting criterion in response to receiving the image** as recited in claim 28, **a printer including a system memory having predefined posting criterion stored therein, and a system controller configured to receive the image and print the image and automatically post the image to a website according to the predefined posting criterion in response to receiving the image** as recited in claim 37, and **printing options for selecting print criterion for printing the image on the printer in response to receiving the image for printing and posting options for selecting posting criterion for posting the image from the printer to the network site in response to receiving the image for printing** as recited in claim 39.

Fredlund discloses a method and apparatus for automatically forwarding digital images to a service provider. The apparatus includes a reading device for reading digital images from a removable digital storage medium and a communication device for automatically forwarding the digital image data over a network to a service provider when a predetermined criteria is met. (Abstract). The communication device 20 is designed to

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receive a memory card 16, read the appropriate information and forward the information on to a service provider 22 where the images can be uploaded for providing the requested goods and/or services. (Col. 6, lines 23-27 and Fig. 1). The service provider 22 would produce the appropriate goods and/or services which in the particular embodiment may comprise prints 26. (Col. 6, lines 34-36 and Fig. 1).

The communication device 20 is a relatively simple device that has very few parts and is simple to use. (Col. 6, lines 43-44). The communication device includes a low cost microprocessor 80 that is controlled by firmware stored in firmware memory 88 and a memory card interface 84 that interfaces with removable memory card 16. The communication device 20 also includes a modem 82. (Col. 6, lines 46-51 and Fig. 5). The communication device also includes a start button 38 that is used to initiate operation of device 20 by the user. Alternately, insertion of the memory card can be automatically detected by memory card interface 84. (Col. 6, line 66 - Col.7, line 2 and Fig. 5). Additional features such as an answering machine, telephone handset, and other phone related services may also be provided to make the communication device 20 a multi-functional device. (Col. 7, line 66 – Col. 8, line 2).

In the Background of the Invention section, Fredlund discloses that there are many methods for printing images from electronic cameras. Image files may be transferred to a computer. A computer program can be used to print the images on a local printer. A computer may use a modem to transfer images over the phone lines or other communication network to a remote photofinisher wherein images may be printed. Another method of getting hard copy prints from digital image files captured by an electronic digital camera is to transfer the digital image files directly to a printer via transferring a memory card or by a data link between the printer and the camera. Digital images may also be printed at a retail kiosk where the digital image files are transferred to an internal computer or to a printer via physically transferring the memory card or by transferring the digital data by a data link between the kiosk and camera. (Col. 1, lines 28-53).

While Fredlund discloses printers for printing digital images and a communication device for transferring digital images to a service provider, Fredlund fails to teach or suggest a printer for both printing the images and posting the images to a network site. In contrast, Fredlund discloses printing the images directly to a printer, which does not transfer the

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images to a service provider. Fredlund also discloses that the service provider prints the images after they are transferred to the service provider. Fredlund does not disclose a printer for both printing the images and transferring the images to the service provider.

In view of the above, Applicant respectfully submits that the rejection to claims 1, 28, and 37-39 under 35 U.S.C. § 102(e) should be withdrawn. Dependent claims 2-9, 11-25, 27, 29, 30, 32, 34-36, and 40-43 further define patentably distinct claim 1, 28, or 39. Accordingly, Applicant respectfully submits that these dependent claims are also allowable over the cited reference. Allowance of claims 1-9, 11-25, 27-30, 32, and 34-43 is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claim 26 was rejected under 35 U.S.C. 103(a) as being unpatentable over Fredlund.

Dependent claim 26 further defines patentably distinct claim 1. Accordingly, Applicant respectfully submits that this dependent claim is also allowable over the cited reference. Allowance of claim 26 is respectfully requested.

Claims 31, 33, and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fredlund in view of "ImageWeb Integrated Printer Web Server" ("ImageWeb").

Dependent claims 31 and 33 further defines patentably distinct claim 28. Accordingly, Applicant respectfully submits that these dependent claims are also allowable over the cited references. Allowance of claims 31 and 33 is respectfully requested.

Applicant submits that Fredlund and ImageWeb, either alone, or in combination, fail to teach or suggest the invention of independent claim 44. Fredlund and ImageWeb fail to teach or suggest **a posting system controller configured to receive an image and print the image and automatically post the image to a website according to a predefined posting criterion in response to receiving the image**.

For the same reasons as discussed above with reference to claims 1, 28, and 37-39, Fredlund fails to teach or suggest a printer for both printing the images and posting the images to a website.

ImageWeb merely discloses a Web server incorporated directly into a printer that displays a graphical interface for printer administration, interactive Web based printing, monitoring of printer status, and on-line documentation. (See ImageWeb, Overview).

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ImageWeb also fails to teach or suggest a printer for both printing the images and posting the images to a website.

In view of the above, Applicant respectfully submits that the rejection to claim 44 under 35 U.S.C. § 103(a) should be withdrawn. Allowance of claim 44 is respectfully requested.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-9 and 11-44 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-9 and 11-44 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Response should be directed to either Jeff D. Limon at Telephone No. (541) 715-5979, Facsimile No. (541) 715-8581 or Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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